

IAP13 Rec'd PCT/PTO 15 FEB 2007

Attorney Docket No. 9564-5

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Stefan Gustavsson

Confirmation No.: 6472

Serial No.: 10/561,383

International Application No.: PCT/EP2004/051059

International Filing Date: June 8, 2004

For: **DEVICE AND METHOD FOR VOICE ACTIVITY DETECTION**

Date: February 13, 2007

Mail Stop PCT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

RESPONSE TO NOTICE TO FILE MISSING REQUIREMENTS

Sir :

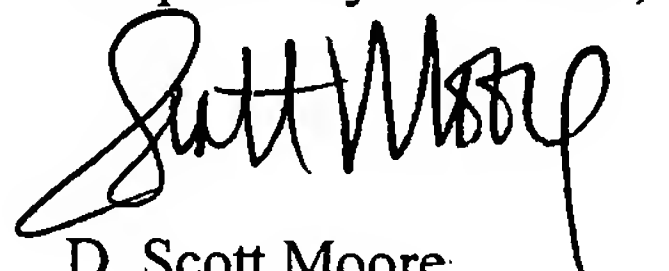
This paper is submitted in response to the Notice to File Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US), mailed January 18, 2007 ("the Notice"). The Notice requires submission of a declaration of the inventors and payment of the late oath or declaration surcharge. Applicant submits that the Notice was issued in error and should be withdrawn for the reasons discussed below.

The present application is a national stage of a PCT application that was filed with a Declaration of Inventorship under Rule 4.17 (see enclosed cover page from the published application). Accordingly, Applicant submits that the application as filed met the requirement for an oath or declaration of the inventors and requests withdrawal of the Notice and acceptance of the national stage application without further charges.

No fee is believed due as Applicant believes the Notice was issued in error. However, the Commissioner is hereby authorized to charge any deficiency, or credit any refund, to Deposit Account No. 50-0220. If any extension of time for the accompanying response or submission is required, Applicant requests that this be considered a petition therefor.

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Respectfully submitted,


D. Scott Moore
Registration No. 42,011

Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on February 13, 2007.


Amelia Tauchen



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
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www.uspto.gov

DSM

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/561,383	Stefan Gustavsson	9564-5

INTERNATIONAL APPLICATION NO.

PCT/EP04/51059

I.A. FILING DATE

06/08/2004

PRIORITY DATE

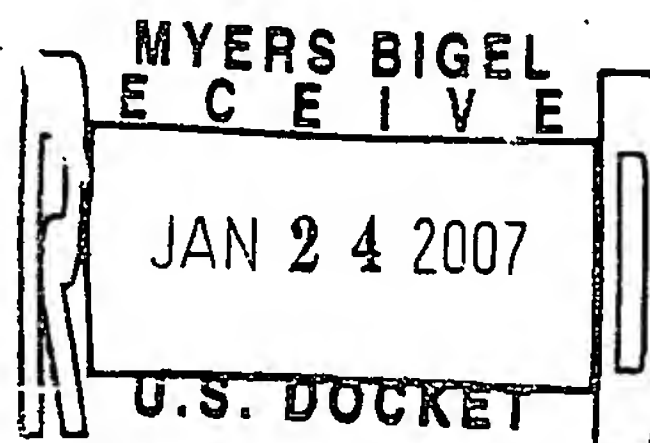
06/17/2003

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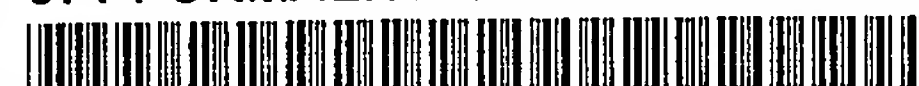
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RALEIGH, NC 27627



CONFIRMATION NO. 6472

371 FORMALITIES LETTER



OC000000022050972

Date Mailed: 01/18/2007

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 12/16/2005
- Copy of the International Search Report filed on 12/16/2005
- Copy of IPE Report filed on 12/16/2005
- Preliminary Amendments filed on 12/16/2005
- Information Disclosure Statements filed on 12/16/2005
- U.S. Basic National Fees filed on 12/16/2005

01-22-07AG9:49 RCVD

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

ANITA D JOHNSON

Telephone: (703) 308-9140 EXT 226

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/561,383	PCT/EP04/51059	9564-5